

The following changes were requested to the September 9, 2008 minutes:

- On page 3, first paragraph, second sentence, Councilmember Godwin stated he is opposed to the cost of the package and not the library itself.

Motion

The motion as amended carried unanimously.

**SPECIAL
PRESENTATION**

**Proclamation Fife
Harvest Festival**

Mayor Pro Tem Cerqui read a proclamation declaring October 4, 2008 as “The Fife Harvest Festival.” He recognized fellow Councilmembers, staff, and volunteers for their efforts on the festival.

Coordinator Potter reported the Fife Harvest Festival is on Saturday, October 4, 2008 at Dacca Park. The festival begins with the first annual Fun Run at 8:00 a.m., followed by a pancake feed and parade. All day events include vendors, food, Council Corn on the Cob, Reptile Man and Petting Zoo, mini train rides, face painting, arts and crafts, U-fish Pond, bouncy toys, Kids Korner, strolling magicians and clowns, and kids tractor pulls. The day will cap off with a Chili Feed and Cook Off, the Really Big Show at the Performing Arts Center featuring an illusionist, circus act, and more. Fire dancers and fireworks will follow the Really Big Show.

**COUNCIL
DELEGATE
REPORTS**

Councilmember Godwin reported on his attendance to the Pierce County Regional Council meeting. Discussion included placement of low-income housing throughout the community.

Councilmember Roscoe reported on her attendance to the following events:

- Zoo Trek Authority meeting at Northwest Trek where she rode the remodeled tram and learned about upcoming events.
- Fife School Board meeting on September 22, 2008. New school district employees were introduced.
- Fife High School football game on September 19, 2008.
- The 20th anniversary celebration of the Puyallup Indian Land Claims Settlement.

Councilmember Roscoe reported she received a copy of the Indian Gaming Washington Tribal Community Investment Report. There are 26 member tribes in the Washington Indian Gaming Association. There are many important community activities held by tribal communities.

Mayor Pro Tem Cerqui reported he attended the Puyallup Indian Land Claims Settlement event. The celebration was interesting. He thanked everyone involved who made the settlement possible.

Councilmember Roscoe invited residents to visit Puget Sound Regional Council's (PSRC) website at www.psrc.org. PSRC is soliciting public comments on nine projects recommended to receive over \$121 million in funding.

PUBLIC HEARING

Chapter 18 Subdivision Code Revision

Mayor Pro Tem Cerqui opened the public hearing at 7:17 p.m.

Acting Director Durham reported the proposed revisions are housekeeping changes and to simplify the code. The draft revisions include a binding site plan process as well.

Enforcement Officer Larson reported the Subdivision Code was adopted in 1969 with amendments adopted through the years. Chapter 18.48, Short Subdivisions, was adopted in 1976 and Section 18.50, Lot Line Adjustments, was adopted in 1992. An issue was presented to the Planning Commission in February 2008. The Commission recommended a revision of the entire code at that time. Staff drafted revisions and simplified the code. Chapters 18.04 to 18.44 in the existing code are now in Chapters 18.01 to 18.07 in the proposed code. The code is divided into four sections including General Provisions, Definitions, Subdivision Regulations, and Approval of Building Standards. The revised format improves reader friendliness and ease of use. The code is now in chronological order from the preapplication to Council action.

Enforcement Officer Larson reported a binding site plan process is included in the draft. The purpose of the binding site plan process is to provide an alternative means of dividing land for commercially or industrially zoned property. It's essentially considered to be a "plat" for commercial and industrial zoned property. All requirements within the section meet the requirements of RCWs.

Short Subdivision Chapter 18.48 was also revised. Currently, the code allows any division of land into nine parcels or less to be processed as a short subdivision. That threshold is reduced to four parcels or less. The existing code requires the signatures of the Mayor, City Engineer, City Clerk-Treasurer, and Chair of the Planning Commission. The proposed amendment allows the Community Development Director to approve or deny a short subdivision.

Mayor Pro Tem Cerqui closed the public hearing at 7:22 p.m.

ORDINANCES AND RESOLUTIONS

ORDINANCES

Ordinance #1676 Chapter 18 Subdivision Code Revision

Motion

Councilmember Godwin moved, seconded by Councilmember Brooks, to approve Ordinance #1676; Chapter 18 Subdivision Code Revision.

City Clerk/Finance Director Marcotte read the title of Ordinance No.1676:

An ordinance of the City Council of the City of Fife, Washington, regarding the divisions of land, adding new Chapters 18.01, 18.03, 18.05, 18.07, 18.09 and ending Chapters 18.048 and repealing Chapters 18.04, 18.08, 18.12, 18.16, 18.20, 18.24, 18.28, 18.32, 18.36, 18.40, 18.44 and sections 18.48.020, 18.48.160, 18.48.180, and 18.48.190 and 18.48.240.

Councilmember Godwin advised that he'll have some questions prior to the second reading of the ordinance.

Councilmember Roscoe asked what prompted reduction in the number of parcels for short subdivisions. Enforcement Officer replied that it's the limit allowed within the statute, which staff believe will ensure a full review of the subdivisions occurs in the future. Councilmember Roscoe asked about the Planning Commission's direction regarding the issue. Enforcement Officer reported the Commission supported the change.

Motion

Motion carried unanimously.

Ordinance #1682 Commute Trip Reduction (CTR)

Motion

Councilmember Godwin moved, seconded by Councilmember Brooks, to approve Ordinance No. 1682; Commute Trip Reduction.

City Clerk/Finance Director Marcotte read the title of Ordinance No. #1682:

An ordinance of the City Council, of the City of Fife, Washington, relating to Commute Trip Reduction and amending sections 17.19.010, 17.19.030, 17.17.040, 17.19.050, 17.19.060, 17.19.070, 17.19.090, 17.19.100, 17.19.120(A) and 17.19.120(B), adding new sections 17.19.035 and 17.19.110 and repealing section 17.19.080.

Planner Pasinetti reported the Council received a briefing on the proposed ordinance at its September 9, 2008 meeting when the CTR Plan was presented. The proposed ordinance adopts the CTR Plan and amends the Fife Municipal Code (FMC). The CTR Efficiency Act is based on the 1991 CTR law requiring major employers to implement trip reduction programs. The City is required to develop its CTR Plan and include goals and targets through 2011. The new CTR Plan was reviewed by the Puget Sound Regional Council and is consistent with the new law. The Planning Commission voted unanimously to adopt the new plan and the amendments to the code.

Councilmember Roscoe commented that recently she read an article on how the region exceeded the acceptable threshold for clean air. Planner Pasinetti affirmed the region exceeded the level in August. Councilmember Roscoe expressed support for efforts to improve air quality.

Motion

Motion carried unanimously.

RESOLUTIONS
Resolution #1240
Amending ILA with
Drainage District #21

Motion

Councilmember Godwin moved, seconded by Councilmember Brooks, to adopt Resolution #1240; Amending ILA with Drainage District #21.

City Clerk/Finance Director Marcotte read the title of Resolution No. 1240:

A resolution of the City Council of the City of Fife , Peirce County, Washington, authorizing the City Manager to execute an amendment to the interlocal agreement with Pierce County Drainage District No. 21 relating to the operation, maintenance, and administration of drainage systems.

Director Blount reported the resolution authorizes an amendment to the interlocal agreement (ILA) extending the mandatory term of the interlocal agreement to six years and providing for withdrawal from the district of all areas within the City's boundaries at the expiration of the six-year term, which would occur in June 2010. The resolution suggests the City negotiate in good faith for the provisions of service outside the City limits. The district will

continue to pay the City of Fife for services until it withdraws.

Director Blount advised that staff recommends approval of the resolution.

Councilmember Godwin asked about the source of funds after the end of the agreement. Director Blount replied the funds have not been identified and will be a subject for discussion for the 2010 budget. The City Council will have the opportunity to charge drainage rates in the City. Councilmember Godwin asked if the Council can establish the rate. Director Blount replied the Council will be able to set rates on an area basis or charge a uniform Citywide rate.

Councilmember Brooks asked about the easements along the creek. Director Blount replied that there are still two more years for the City Council to work on acquiring the easements. Councilmember Brooks commented on the efforts undertaken by the City to obtain the easements and that the Council believes the effort has reached an appropriate stopping point. He asked that the extension shouldn't necessarily halt the City's efforts in securing the easements. Director Blount affirmed that efforts will continue if the agreement is approved.

Mayor Pro Tem Cerqui agreed with Councilmember Brooks.

Public Comment

An unidentified member of the audience said he doesn't think there is a need for the easements.

Motion

Motion carried unanimously.

**Resolution #1241
Intent of Approving
Annexation of
Benthien Loop**

Motion

Councilmember Godwin moved, seconded by Councilmember Brooks, to adopt Resolution No. 1241; Intent of Approving Annexation of Benthien Loop.

City Clerk/Finance Director Marcotte read the title of Resolution No. 1241:

A resolution of the City Council of the City of Fife, Washington, declaring its intent to annex certain real property located north of 4th Street East to 57th Avenue East, and east of 54th Avenue East to the Hylebos Creek, including parcels which the creek intersects, known as the Benthien Loop.

Enforcement Officer Larson reported the proposal introduces Resolution No.

1241 and informs the Council on the next steps of the annexation. The resolution is required as a part of the Notice of Intent to be submitted to the Pierce County Boundary Review Board. The resolution does not officially approve the annexation, but declares the Council's intent to annex the area known as Benthien Loop, upon approval by the Pierce County Boundary Review Board. The Pierce County Boundary Review Board has 45 days to take action.

Councilmember Roscoe commented she is glad to see the annexation move forward.

Public Comment

Rich Lott, 5505 4th Street E, thanked the City Council, Mayor, and staff for all of their efforts. He said he hopes annexation will occur within the next 45 days.

Mayor Pro Tem Cerqui asked about a mitigation package from Pierce County with respect to the annexation of the property. Acting Director Durham replied that the negotiations with Pierce County were unsuccessful.

Motion

Motion carried unanimously.

**Resolution #1236
Authorize Purchase of
Property Right of Way
and Slope Easement
from 2925 70th Avenue
Fife, LLC**

Motion

Councilmember Godwin moved, seconded by Councilmember Brooks, to adopt Resolution No. 1236; Authorize Purchase of Right of Way and Slope Easement from 2925 70th Avenue Fife, LLC.

City Clerk/Finance Director Marcotte read the title of Resolution No. 1236:

A resolution of the City Council of the City of Fife, Peirce County, Washington, authorizing the purchase of a portion of tax parcel No. 0420087009 from 2925 70th Avenue Fife LLC for right of way and slope easement in lieu of condemnation.

Director Blount reported it's necessary for the City to acquire a portion of the property for right-of-way and a slope easement for the reconstruction of 70th Avenue East as part of the 70th Avenue East and Valley Avenue East Road Improvement Project. The City Attorney negotiated the purchase of the right-of-way and slope easement in lieu of condemnation for the sum of \$62,400,

which is the full appraised value as determined by the City's appraiser and review appraiser. Staff recommends approval of Resolution #1236.

Councilmember Brooks asked for the square footage cost. Director Blount replied the square footage cost was approximately \$15.

Motion

Motion carried unanimously.

**Resolution #1243
Termination of
Services with Tacoma
Fire District #10**

Motion

Councilmember Godwin moved, seconded by Councilmember Brooks, to adopt Resolution No. 1243; Termination of Services with Tacoma Fire District #10.

City Clerk/Finance Director Marcotte read the title of Resolution No. 1243:

A resolution of the City Council of the City of Fife, Peirce County, Washington, terminating the fire and emergency medical protection agreement with Pierce County Fire District No. 10.

Director Marcotte reported in 1988, the City entered into an agreement with Fire District No. 10 to furnish fire protection and basic life support services to and on all City-owned or leased real and personal property. It appears to have been an effort to provide additional financial support to District #10 at a time when the assessed value of property within the district was much lower and to ensure the district was able to provide adequate services within the City. In the years since, the provisions of the contract require the City to pay an annual amount of money equivalent to the district's property tax rate for City-owned property. The property tax revenue received by the district has grown substantially in recent years as development occurred in the City. The cost of the supplemental agreement has increased from \$7,098 in 1988 to an estimated \$100,000 in 2009. However, the payment does not provide any additional services to the City. The provisions of the contract require giving notice of cancellation by October 1, 2008. The agreement appears to have outlived its original purpose and no longer appears to be necessary or is appropriate.

Councilmember Godwin expressed concerns on the amount of funds the Fire District has been receiving. He said he's concerned Tacoma will assess that amount to citizens.

Councilmember Brooks said when the resolution was first presented to the

Council; the Fire District had an obligation to provide these services at no cost. Director Marcotte replied the provisions are not contingent on services.

City Attorney Combs advised that state statute stipulates a contract when municipally owned properties are located within a district. State statute doesn't stipulate the terms of the contract.

Councilmember Roscoe asked about other municipalities that contract with Tacoma Fire. Director Marcotte replied that Fircrest currently contracts with the district.

Councilmember Roscoe asked about the purpose of being included within the district. Director Marcotte replied Fire District No. 10 occupies all of the City of Fife and some properties outside of Fife. It's a government special purpose district.

Councilmember Roscoe commented that it appears the City is paying substantially more than Tacoma homeowners after considering the total assessed value within the City. She agreed the issue needs to be considered throughout the negotiations.

Mayor Pro Tem Cerqui acknowledged the difficult decision in terms of the amount of money and expressed hope that an agreement can be negotiated.

Motion

Motion carried unanimously.

**Resolution #1244
James Omegna Trust
Slope Easement
Resolution**

Motion

Councilmember Godwin moved, seconded by Councilmember Brooks, to adopt Resolution No. 1244; James Omegna Trust Slope Easement Resolution.

City Clerk/Finance Director Marcotte read the title of Resolution No. 1244:

A resolution of the City Council of the City of Fife, Peirce County, Washington, authorizing the purchase of slope easement on tax parcel No. 0420172030 from James Omegna Revocable Trust in lieu of condemnation.

Director Blount reported the City needs to acquire a slope easement from James Omegna Revocable Trust for the 70th Avenue East and Valley Avenue East Road Improvement Project. The City Attorney negotiated the purchase of

the slope easement in lieu of condemnation for the sum of \$10,000, which is the full appraised value determined by the City's appraiser and review appraiser.

Mayor Pro Tem Cerqui stressed the importance of each parcel having access. Director Blount affirmed the properties will all have access.

Motion

Motion carried unanimously.

**Resolution #1242
Authorizing Purchase
of Property Right of
Way, Slope Easement
and Temporary
Construction
Easement from Won
Han and Suk Han**

Motion

Councilmember Godwin moved, seconded by Councilmember Brooks, to adopt Resolution No. 1242; Authorize Purchase of Property Right of Way, Slope Easement and Temporary Construction Easement from Won and Suk Han.

City Clerk/Finance Director Marcotte read the title of Resolution No. 1242:

A resolution of the City Council of the City of Fife, Peirce County, Washington, approving the agreement with Won Sup Han and Suk Ran Han to purchase real property and easements for right of way and utilities proposed.

Director Blount reported the cost to purchase the property is \$378,000 plus recording fees and closing fees. It's necessary for the City to acquire a portion of the property for right-of-way, slope easement, and temporary construction easement for the 70th Avenue East and Valley Avenue East Road Improvement Project. The increase in cost is appropriate because it's within the range of comparable sales used in the appraisal and allows the City to settle the condemnation proceeding, which would cost more than the increased purchase price and potential delay of the project. The agreement provides for dismissal of the lawsuit upon the closure of the sale.

Motion

Motion carried unanimously.

**CITY MANAGER'S
REPORT**

Assistant City Manager Reinbold reported on the following activities:

- City Manager Worthington is attending the International City Mangers Association conference in Richmond, Virginia. The theme for the conference this year is sustainability.
- The City received a legitimate LID request for Freeman Road, which will be presented to the City Council at its October 14, 2008 meeting.
- The Gathering Place on 20th Avenue was mowed and reseeded. Maintenance of the area will be an item of future discussion with the Council.
- Assistant City Manager Reinbold, Director Marcotte, Assistant Director Harris, and Financial Analyst DeGroot attended an exit audit with the State Auditor's office earlier in the day. The City received a clean audit report.
- Assistant City Manager Reinbold thanked Assistant Richards, Coordinator Potter, and Ms. LaFrance for their efforts on the Harvest Festival.

**COUNCILMEMBER
COMMENTS**

Councilmember Godwin said he's disappointed the soccer field at the Gathering Place was not reseeded in the spring in sufficient time for play. The field was not used this year.

Councilmember Roscoe reported she received two invitations on sustainability. The first meeting is in Seattle from September 25-27, 2008. The second meeting is at the Port of Tacoma for a customer reception on September 30, 2008 from 5:30 p.m. to 7:30 p.m.

Mayor Pro Tem Cerqui reported he spoke at a recent Fife Rotary Club meeting on the state of the City.

ADJOURMENT

With there being no further business, Mayor Pro Tem Cerqui adjourned the meeting at 8:11 p.m.

Rob Cerqui, Mayor Pro Tem

Steve Marcotte, City Clerk/Finance Director

Prepared by Danielle Gardea, Recording Secretary
Puget Sound Meeting Services